

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:06CR3018
)	
vs.)	ORDER OF COURT
)	TO DISMISS WITHOUT PREJUDICE
NHO LONG NGUYEN,)	THE INDICTMENT
)	REGARDING
Defendant.)	NHO LONG NGUYEN

The government has filed a motion to dismiss the indictment without prejudice. The motion was filed on March 30, 2006 in the afternoon. Trial was scheduled for April 3, 2006.

At approximately 3:00 p.m. on March 30, 2006, I conducted a telephone conference with Mick Mickle, counsel for the government,¹ and Carlos Monzon, counsel for the defendant, regarding the government's motion. Mr. Mickle represented that the government's reason for seeking dismissal of the indictment was that, after trial preparation, the government believed that it could not ethically and in good faith proceed to trial against the defendant at this time. Mr. Monzon responded: "That's good enough for me." I am satisfied that the government's motion is not presented for an improper purpose. Accordingly,

IT IS ORDERED that the government's motion to dismiss the indictment without prejudice (filing 18) is granted. The indictment (filing 1) is dismissed without prejudice.

March 30, 2006.

BY THE COURT:

s/ *RICHARD G. KOPF*
United States District Judge

¹Mr. Mickle supervises Janice Lipovsky, the Assistant United States Attorney originally assigned to this case. Ms. Lipovsky was unavailable.